

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JASON SWIDERSKI	:	CIVIL ACTION
	:	
v.	:	NO. 19-2321
	:	
JOHN HARMON, et al.	:	

ORDER

AND NOW, this 16th day of July 2020, upon considering the Defendants' Motion to dismiss for the incarcerated Plaintiff's failure to prosecute discovery responses during the COVID-19 pandemic (ECF Doc. No. 112), mindful of Defendants' pending Motion for summary judgment (ECF Doc. No. 114), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. The Defendants' Motion to dismiss for failure to prosecute (ECF Doc. No. 112) is **DENIED**; and,

2. Given ongoing concerns with mail service, Defendants shall serve the accompanying Memorandum and this Order upon the *pro se* Plaintiff at his SCI Camp Hill facility identified in his February 24, 2020 Notice (ECF Doc. No. 97) by first class mail through Smart Communications/PADOC no later than **July 17, 2020**, file a certificate of service compliant with this Order no later than **July 20, 2020**, and amend the certificate if the mail returns as undeliverable.



KEARNEY, J.